

From: tjhlan@comcast.net
To: Jennifer Sincoc/R3/USEPA/US@EPA
Date: 10/27/2010 08:12 PM
Subject: Fwd: PA DEP EPA your article Amish

i DO i GET THESE FILES AND THIS EMAIL TO THEM????? THE FILES ARE ONLY AVAILABLE IN THIS EMAIL NOW.

----- Forwarded Message -----

From: tjhlan@comcast.net

Sent: Wednesday, January 27, 2010 7:46:53 PM GMT -05:00 US/Canada Eastern
Subject: DEP EPA

The DEP has not enforced Federal or PA State laws in the past. The newspaper articles recently published in Lancaster about the Bay and the Amish show a continued reluctance to enforce the laws that impact the Bay. The attachment contains documents proving that DEP has not enforced the Clean Streams Act. And they show how EPA had to come to 2 very small STPs in Adams County PA to enforce what DEP would not. This was after DEP was confronted with it's own documents (same as some attached) from it's own file room over the course of 4 days of research into one local watershed. DEP refused to discuss it.

Maryland is impacted more than PA by PA DEP not enforcing the law. And DEP of PA raising the argument that EPA should stick to big cities and big farm ooperations-letting DEP allow 'unforcement' as has happened in the past is no longer a viable option for any party concerned with the Bay. The SRBC has these documents and did not act. Obviously DEP has them and the thousands of other pages of showing inspections noting overloads, permiits issued before planning modules approved, etc.... Maryland did not want them, but maybe that has changed.

EPA discusses farm inspections

Targeted 24 farms in Leacock Township

Intelligencer Journal

Lancaster New Era

Jan 26, 2010 06:43 EST

When the federal Environmental Protection Agency announced last fall it had targeted nearly two dozen small farms near Intercourse for farm-related water pollution inspections, fears of a crackdown rippled through farm and regulatory circles all the way to Harrisburg.

The 3-square-mile Watson Run, a tributary of Pequea Creek, was chosen from tax maps, according to Kyle Zieba of EPA. David McGuigan, also of EPA, said the agency wasn't initially aware that 23 of the 24 farmers in the watershed

were Plain Sect.

"There was a great deal of trepidation," McGuigan, of the regional National Pollutant Discharge Elimination System Permits and Enforcement office, acknowledged Monday as he delivered the results to the Lancaster County Conservation District board.

The 24 farmers in Leacock Township appealed to the Lancaster County Conservation District to intercede on their behalf. Intense conversations have ensued, and Amish bishops have been involved.

At the presentation Monday, EPA officials emphasized that they would allow the conservation district to work with the farmers in the Watson Run watershed between Paradise and Intercourse to correct farm-runoff problems they found. John Hanger, secretary of the state Department of Environmental Protection, drove to Lancaster to thank EPA for "listening and changing how you were going to do this."

Later, when asked about Hanger's comment, Don McNutt, administrator of the conservation district, said EPA's original intention was to declare all the farms as concentrated animal feeding operations, which would require the highest level of on-the-farm conservation measures.

Still, most of the Watson Run farmers are expected to place best-management practices on their farms or possibly face enforcement actions in the future, according to the EPA.

And the EPA assessment — others are planned in watersheds in Lancaster County — is another indication that the county is under the gun to dramatically reduce its flow of harmful nutrients from manure and crop fertilizers that are finding their way into local streams and the Chesapeake Bay.

...

What was EPA, which only regulates large farms, doing assessing a local cluster of dairy, poultry and swine farms?

(my bold)

Southcentral Pennsylvania has been identified as one of three hot spots that are sources of unacceptably high amounts of manure nitrogen levels tainting surface, groundwater and drinking water.

The other two are intense poultry farming areas in the Delmarva Peninsula and the Shenandoah Valley of Virginia. Zieba said the agency wanted to find a small headwaters area in Lancaster County to study the effectiveness of key best-management practices.

The two EPA members and one conservation district staffer who visited each farm between Nov. 30 and Dec. 18 were pleasantly surprised by some of the things they saw.

Most of the farms used cover crops and no-till or low-till farming. Most had their soil tested to determine they weren't over-saturating the soil with fertilizer and none discharged milk wastewater directly into Watson Run.

McNutt said that the conservation district and EPA "agreed that the farmers had met or exceeded some of the baseline requirements for many of their field practices."

But only four had manure storage facilities capable of holding manure through the winter without spreading it on fields. Only three of the 24 had farm conservation plans as required by the state.

And during storms, water running through barn lots and fields was observed flowing into waterways, Zieba said.

"We absolutely saw manure going into Watson Run, as well," she said.

"Our results show that only one farm is a best situation here."

Discussing the next step in the assessment, Zieba said, "There are regulatory options, but a cooperative approach is preferable."

Hanger noted the tough economic times Pennsylvania farmers have struggled with and said they can't be expected to implement large-scale conservation measures "without partnerships. I get that."

And he said it can't be just farmers shouldering the load for improving water quality and helping the Chesapeake Bay.

Sewer plants will have to be improved. Urban storm water and lawn fertilizers must be better controlled, he said.

New, emerging technologies also will have to play a key role for nutrient limits imposed on Pennsylvania by the federal government to be met by 2025, he stressed.

Hanger praised the Lancaster County Conservation District as tied with another as the best in Pennsylvania.

acrable@lnpnews.com

EPA eyes tougher bay measures

Pa. environmental official concerned

Intelligencer Journal

Lancaster New Era

Jan 12, 2010 08:09 EST

More local farms may fall under big-farm pollution regulations.

And local municipalities and developments may be required to do a better job of containing storm water and keeping it out of streams.

Both measures are being sought by the U.S. Environmental Protection Agency, which Monday announced the latest

round of tougher regulations designed to clean up the Chesapeake Bay.

President Barack Obama in May issued an executive order to clean up the Chesapeake Bay after two decades of failed commitments from states and the federal government to do so.

"We're developing the most rigorous framework to date for reducing pollution in the bay and its watersheds," EPA Administrator Lisa P. Jackson said in announcing the new federal rules.

"These rules will provide critical backstop measures to ensure accountability in state efforts that are the front line for success in this historic cleanup effort."

But at least one top Pennsylvania environmental official expressed concerns that a tougher federal hand might undo the state's preference to work at the local level for cleanup of streams.

"We have concerns," said John T. Hines, the state Department of Environmental Protection's deputy secretary of water management.

(my bold)

EPA said it would seek stringent regulations to more effectively get large farms in Pennsylvania, Maryland, Virginia and New York to reduce nutrient pollutants than can run off farmland and into streams that feed the Bay.

EPA said it would consider "expanding the universe" of concentrated animal feeding operations, meaning smaller farm operations may be brought under the umbrella of the stricter pollution controls currently on only the largest farms.

Currently, Pennsylvania has about 340 CAFO farms, as determined by the number of animals.

EPA is considering designating farms on the basis of the number of discharge pipes on the farms, not just animals, according to Hines.

"I don't know if that is the best approach for us," he said.

Pennsylvania has been trying to aid farmers financially to help them with on-farm conservation measures so that they can come into compliance, he said.

"Then we would seek options on enforcement for the recalcitrant ones. I don't think anyone would disagree with that," he said.

Also to be considered by EPA are options that would improve how surplus manure is spread or stored and streamlining the designation process.

"We think our nutrient management regulations cover that," Hines said in reaction to the proposal.

EPA said it hoped to propose the new rules in 2012 and have them in effect by late 2013.

New regulations on municipal storm water controls could have a big impact on local communities.

Not only would more storm-runoff controls be required on newly developed and redeveloped sites, but EPA said it might impose tougher regulations on communities in the bay watershed than found in the rest of the nation.

Also, the regulations may be levied on smaller sites than in the past.

Hines said he is concerned that effective efforts to minimize urban runoff by working on a county or regional level may be disrupted by tougher regulations imposed on each borough, city or township.

Plus, forcing already developed sites, such as a housing development or office complex, to try to reduce more runoff could be a problem.

"You are looking at some of our older communities. How do you retrofit, and how do communities afford it?" Hines said.

Hines did have favorable things to say about another EPA initiative that would allow pollution load offsets.

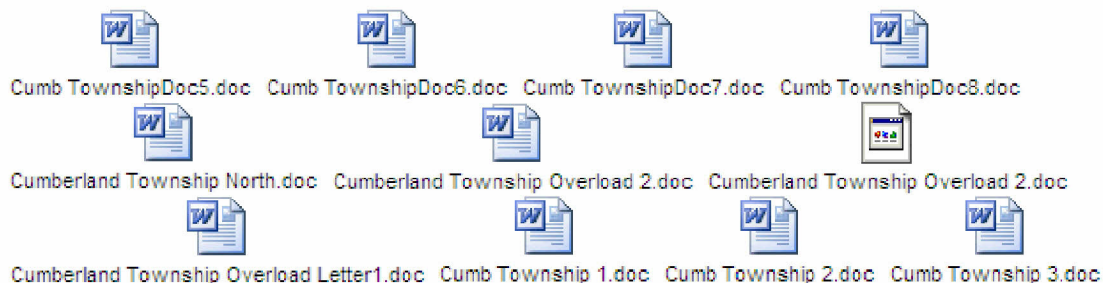
Under new pollution limits each waterway in the state will have, development could be prohibited if it would lower a stream's water quality.

The offset measure would allow such projects to go forward if the developer could improve stream quality elsewhere.

Planting a riparian buffer along a stream might be one such measure.

"The important thing here is we have to work with partners," Hines said.

acrabable@lnpnews.com





Cumb Township 4.doc



Cumb Township reportDoc10.doc



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Cumb Township who wrote Doc13.doc